

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WADE FELIX THORNTON,

Petitioner,

No. CIV S-03-0755 MCE DAD P

vs.

DIANA K. BUTLER, Warden,

Respondent.

ORDER

_____ /
A status conference came on regularly for hearing on May 25, 2007 at 10:00 a.m. in courtroom #27. Michael B. Bigelow appeared for petitioner. Judy Kaida appeared telephonically for respondent. Upon review of the status conference reports filed by the parties, upon hearing the arguments of counsel and good cause appearing therefor, THE COURT MADE THE FOLLOWING ORDERS and announced them to the parties in open court:

1. A further status conference is set for September 21, 2007, at 10:00 a.m in courtroom #27. At the status conference, counsel for petitioner shall be prepared to discuss whether he wishes to proceed with a claim of actual innocence based upon newly discovered evidence.

////

////

1 2. If petitioner is not prepared to engage in the foregoing discussion by the date of
2 the status conference, the parties may file a stipulation and proposed order continuing the status
3 conference to a date certain.

4 3. If the parties are unable to reach agreement on a stipulated date for a continued
5 status conference, petitioner may file a motion for continuance of the status conference.

6 DATED: May 25, 2007.

7
8 
9 _____
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

10 8:thornton755.oah
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26